



Journal of the Senate

State of Indiana

114th General Assembly

First Regular Session

Ninth Meeting Day

Thursday Afternoon

January 20, 2005

The Senate convened at 1:35 p.m., with the President of the Senate, Rebecca S. Skillman, in the Chair.

Prayer was offered by Senator Jeffery A. Drozda.

The Pledge of Allegiance to the Flag was led by Senator Drozda.

The Chair ordered the roll of the Senate to be called. Those present were:

| | |
|------------------------------------|-------------------------------------|
| Alting | Long |
| Antich-Carr | Lubbers |
| Bowser | Lutz |
| Bray | Meeks |
| Breaux | Merritt |
| Broden | Miller |
| Clark | Mishler |
| Craycraft <input type="checkbox"/> | Mrvan |
| Dillon | Nugent |
| Drozda | Paul |
| Ford | Riegsecker |
| Gard | Rogers |
| Garton | Server |
| Harrison | Simpson <input type="checkbox"/> |
| Heinold | Sipes |
| Hershman <input type="checkbox"/> | Skinner |
| Howard | Smith |
| Hume | Steele |
| Jackman <input type="checkbox"/> | Waltz <input type="checkbox"/> |
| Kenley | Waterman |
| Kruse | Weatherwax <input type="checkbox"/> |
| Lanane | Wyss <input type="checkbox"/> |
| Landske | Young, M. |
| Lawson | Young, R. <input type="checkbox"/> |
| Lewis | Zakas |

Roll Call 10: present 42; excused 8. [Note: A ☐ indicates those who were excused.] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

INTRODUCTION OF BILLS

The following bills and resolutions were read a first time by title and referred to the respective committees:

SB 521 — Zakas (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

SB 522 — Zakas (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning

criminal law and procedure and to make an appropriation.

SB 523 — Wyss, Sipes (Homeland Security, Utilities, and Public Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

SB 524 — Wyss, Broden (Governmental Affairs and Interstate Cooperation)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

SB 525 — Zakas (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 526 — Dillon (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

SB 527 — Jackman (Agriculture and Small Business)

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

SB 528 — Lawson (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 529 — Lawson (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

SB 530 — Server (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 531 — Server (Health and Provider Services)

A BILL FOR AN ACT concerning human services.

SB 532 — Server (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 533 — Riegsecker (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

SB 534 — Riegsecker (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

SB 535 — Clark (Pensions and Labor)

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

SB 536 — Clark (Economic Development and Technology)

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety and to make an appropriation.

SB 537 — Hershman (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 538 — Gard (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

SB 539 — M. Young (Homeland Security, Utilities, and Public Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration and to make an appropriation.

SB 540 — M. Young (Governmental Affairs and Interstate Cooperation)

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

SB 541 — Waterman (Education and Career Development)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 542 — Waterman (Education and Career Development)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 543 — Hume, Breaux, Skinner (Education and Career Development)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 544 — Hume, Breaux, Skinner (Education and Career Development)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 545 — Steele (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 546 — Kruse (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning general provisions.

SB 547 — Kruse (Commerce and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

SB 548 — Kruse (Governmental Affairs and Interstate Cooperation)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 549 — Broden (Governmental Affairs and Interstate Cooperation)

A BILL FOR AN ACT to amend the Indiana Code concerning

public safety.

SB 550 — Sipes (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 551 — Ford (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 552 — Ford (Education and Career Development)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 553 — Waterman (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 554 — Waterman, Weatherwax (Natural Resources)

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

SB 555 — M. Young (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

SB 556 — M. Young (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

SB 557 — M. Young (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 558 — Mrvan (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 559 — Mrvan (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

SB 560 — Antich-Carr (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

SB 561 — Antich-Carr (Pensions and Labor)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

SB 562 — Antich-Carr (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 563 — Clark (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

SB 564 — Clark (Governmental Affairs and Interstate Cooperation)

A BILL FOR AN ACT to amend the Indiana Code concerning property.

SB 565 — Skinner, Weatherwax (Governmental Affairs and Interstate Cooperation)

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

SB 566 — Dillon (Economic Development and Technology)

A BILL FOR AN ACT concerning health and to make an appropriation.

SB 567 — Smith (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 568 — Miller (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

SB 569 — Miller (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

SB 570 — Mishler (Governmental Affairs and Interstate Cooperation)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

SB 571 — Simpson (Economic Development and Technology)

A BILL FOR AN ACT to amend the Indiana Code concerning economic development.

SB 572 — Simpson, Kenley (Health and Provider Services)

A BILL FOR AN ACT concerning Medicaid.

SB 573 — Simpson (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

SB 574 — Server (Appropriations)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 575 — Merritt, Simpson (Natural Resources)

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources and to make an appropriation.

SB 576 — Waterman (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

SB 577 — Waterman (Education and Career Development)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 578 — Hershman (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

SB 579 — Merritt (Governmental Affairs and Interstate Cooperation)

A BILL FOR AN ACT to amend the Indiana Code concerning

natural and cultural resources.

SB 580 — Drozda (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

SB 581 — Kenley (Tax and Fiscal Policy)

A BILL FOR AN ACT concerning taxation.

SB 582 — Waterman (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure. (Vehicle Bill)

SB 583 — Waterman (Rules and Legislative Procedure)

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration. (Vehicle Bill)

SB 584 — Waterman (Commerce and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

SB 585 — Waterman (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

SB 586 — Merritt (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning civil law and procedure.

SB 587 — Waltz (Pensions and Labor)

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

SB 588 — Weatherwax (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 589 — Lubbers (Insurance and Financial Institutions)

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

SB 590 — Riegsecker (Economic Development and Technology)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

SB 591 — Miller (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

SB 592 — Miller (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning Medicaid.

SB 593 — Bowser, Waterman (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

SB 594 — Hershman (Corrections, Criminal, and Civil Matters)

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

SB 595 — Hershman (Governmental Affairs and Interstate Cooperation)

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

SB 596 — Hershman (Elections and Civic Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

SB 597 — Heinold (Governmental Affairs and Interstate Cooperation)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

SB 598 — Lubbers (Education and Career Development)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 599 — Kruse (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 600 — Kruse (Insurance and Financial Institutions)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 16

Senate Concurrent Resolution 16, introduced by Senator Lanane:

A CONCURRENT RESOLUTION urging the Congress of the United States to place a moratorium on new free trade agreements, to investigate and review current free trade agreements and policies of the United States, to investigate and review participation of the United States with international trade organizations, and to ensure that the agreements, policies, and participation are in the best interests of the citizens of Indiana and the United States.

Whereas, Between January 2000 and January 2004, Indiana lost approximately 102,000 manufacturing jobs;

Whereas, Manufacturing results in three to seven jobs created for each manufacturing job;

Whereas, Free trade agreements and policies of the United States with other nations have severely affected United States manufacturing industries and the workers the industries employ;

Whereas, Participation by the United States in international trade organizations may imperil the success of United States manufacturing;

Whereas, Foreign nations, such as China, have engaged in a wide range of unfair trading practices, including the manipulation of currency, subsidization of industries, and the dumping of below-cost subsidized products into the United States market;

Whereas, United States manufacturers cannot compete with foreign companies who pay a fraction of the salaries paid to United States manufacturing employees, provide no health benefits to their workers, do not have to comply with safety and environmental regulations, pay no pensions, and receive government subsidies; and

Whereas, The citizens of Indiana are harmfully affected by trade agreements and policies between the United States and foreign nations, resulting in the closing of many Indiana manufacturing industries, which negatively affects our families, our communities, and the state when thousands of workers lose their jobs: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly urges the Congress of the United States to place a moratorium on all new trade agreements, to investigate and review all current free trade agreements and policies of the United States, to investigate and review participation of the United States in international trade organizations, and to ensure that the agreements, policies, and participation are in the best interests of the citizens of the Indiana and the United States.

SECTION 2. That copies of this resolution be transmitted by the Secretary of the Senate to the President of the United States, members of the Congress of the United States, the presiding officers of each house of Congress, and each member of the Indiana congressional delegation.

The resolution was read in full and referred to the Committee on Commerce and Transportation.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Senate Bill 149, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 7, Nays 2.

HARRISON, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 77, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 10, Nays 0.

BRAY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which

was referred Senate Bill 102, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

BRAY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 212, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

BRAY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill 67, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 36-8-16.5-26 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 26. **(a)** The board may adjust the wireless emergency enhanced 911 fee that is assessed under section 25.5 of this chapter. The board shall assess the ~~fees~~ **fee** at rates that ensure full recovery over a reasonable period of time of costs incurred by:

(1) CMRS providers **before July 1, 2005**; and

(2) PSAPs;

to develop and maintain an enhanced wireless 911 system.

(b) The ~~fees~~ **fee assessed under section 25.5 of this chapter** may not:

(1) be raised or lowered more than one (1) time in a calendar year;

(2) be raised more than seven cents (\$0.07) by an adjustment; or

(3) exceed one dollar (\$1) per month for each telephone number.

SECTION 2. IC 36-8-16.5-37 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 37. A CMRS provider may recover ~~from the fund~~ all of its ~~cost of implementing~~ **costs incurred before July 1, 2005, to implement** enhanced wireless 911 service. ~~from the fund~~.

SECTION 3. IC 36-8-16.5-38 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 38. To recover costs **incurred before July 1, 2005, as allowed** under section 37 of this chapter, a CMRS provider must submit a full, sworn, true, complete, and detailed cost recovery plan. The board must approve the plan before the CMRS provider may recover costs from the fund under section 37 of this chapter.

SECTION 4. IC 36-8-16.5-39 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 39. (a) Except as

provided by section 26 of this chapter and subsection (b), the fund must be managed in the following manner:

(1) Three cents (\$0.03) of the wireless emergency 911 fee collected from each subscriber must be deposited in an escrow account to be used to reimburse:

(A) CMRS providers, ~~and~~ PSAPs, ~~and the board~~ for costs associated with implementation of phase two (2) of the FCC order; ~~and~~

(B) ~~PSAPs and the board for costs associated with other wireless enhanced 911 services mandated by the FCC but not specified in the FCC order.~~

The board may invest money in the account in the manner prescribed by section 23 of this chapter and may use the proceeds of the investments to reimburse CMRS providers and PSAPs under this subdivision. ~~The board shall reevaluate the fees placed into escrow not later than May 1, 2000. The board shall determine if the fee should be reduced, remain the same, or be increased based on the latest information available concerning the costs associated with phase two (2) of the FCC order.~~

(2) At least twenty-five cents (\$0.25) of the wireless emergency 911 fee collected from each subscriber must be deposited in an escrow account and used to reimburse CMRS providers for the actual costs incurred by the CMRS providers **before July 1, 2005**, in complying with the wireless 911 requirements established by the FCC order and rules that are adopted by the FCC under the FCC order, including costs and expenses incurred in designing, upgrading, purchasing, leasing, programming, installing, testing, or maintaining all necessary data, hardware, and software required to provide service as well as the costs of operating the service. The board may invest money in the account in the manner prescribed by section 23 of this chapter and may use the proceeds of the investments to reimburse CMRS providers under this subdivision. ~~Except as provided by section 38 of this chapter,~~ The CMRS provider may only request funds for true cost recovery. The board may increase the amount held in escrow under this subdivision not more than one (1) time a calendar year. If the board adjusts the wireless emergency 911 fee under section 26 of this chapter within a calendar year, an adjustment to the amount held in escrow under this subdivision for the calendar year must be made at that time. **When all CMRS providers have been reimbursed under this chapter, the board shall reevaluate the part of the fee used to reimburse CMRS providers under this subdivision and may:**

(A) reduce the amount of; or

(B) reallocate;

the part of the fee used to reimburse CMRS providers under this subdivision. A reduction or reallocation under this subdivision is not an adjustment under section 26 of this chapter.

(3) Two percent (2%) of the wireless emergency 911 fee collected from each subscriber may be used by the board to recover the board's expenses in administering this chapter. However, the board may increase this percentage at the time the board may adjust the monthly fee assessed against each subscriber to allow for full recovery of administration

expenses.

(4) The remainder of the wireless emergency 911 fee collected from each subscriber must be distributed in the following manner:

(A) The board shall distribute on a monthly basis to each county containing one (1) or more eligible PSAPs, as identified by the county in the notice required under section 40 of this chapter, a part of the remainder based upon the county's percentage of the state's population (as reported in the most recent official United States census). A county must use a distribution received under this clause to reimburse PSAPs that:

- (i) are identified by the county under section 40 of this chapter as eligible for distributions; and
- (ii) accept wireless enhanced 911 service;

for actual costs incurred by the PSAPs in complying with the wireless enhanced 911 requirements established by the FCC order and rules.

(B) The amount of the fee remaining, if any, after the distributions required under clause (A) must be distributed in equal shares between the escrow accounts established under subdivisions (1) and (2). **If, after all CMRS providers have been reimbursed under this chapter, an escrow account is no longer maintained under subdivision (2), the total amount of the fee remaining, if any, after the distributions required under clause (A) must be distributed to the escrow account established under subdivision (1).**

(b) Notwithstanding the requirements described in subsection (a), the board may transfer money between and among the accounts in subsection (a) in accordance with the following procedures:

(1) For purposes of acting under this subsection, the board must have a quorum consisting of at least one (1) member appointed under section 18(c)(2) of this chapter and at least one (1) member appointed under section 18(c)(3) of this chapter.

(2) A transfer under this subsection must be approved by the affirmative vote of:

(A) at least fifty percent (50%) of the members present at a duly called meeting of the board who are appointed under section 18(c)(2) of this chapter; and

(B) at least fifty percent (50%) of the members present at a duly called meeting of the board who are appointed under section 18(c)(3) of this chapter.

(3) The board may make transfers only one (1) time during a calendar year.

(4) The board may not make a transfer that:

- (A) impairs cost recovery by CMRS providers or PSAPs; or
- (B) impairs the ability of the board to fulfill its management and administrative obligations described in this chapter.

SECTION 5. IC 36-8-16.5-42 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 42. (a) A CMRS provider shall submit to the board sworn invoices related to a request for reimbursement under section 39 of this chapter. An invoice submitted under this section must contain language swearing or affirming, under the penalty of perjury, that the

representations made in the invoice are accurate to the best of the signer's knowledge. The signer must be:

- (1) an employee or officer of the CMRS provider submitting the invoice; and
- (2) designated by the CMRS provider to sign on its behalf and bind the CMRS provider to the representations made.

The board may not approve an invoice submitted under this section if reimbursement of a cost described in the invoice is not related to compliance with the requirements of the FCC order and the rules adopted by the FCC under the FCC order. **The board may not approve an invoice submitted under this section after December 31, 2005.**

(b) If:

- (1) the board receives a written complaint alleging that a CMRS provider has used money received under this chapter in a manner that is inconsistent with this chapter; and
- (2) a majority of the board votes to conduct an audit of the CMRS provider;

the board may contract with a third party auditor to audit the CMRS provider to determine whether the CMRS provider has used money received under this chapter in a manner consistent with this chapter.

SECTION 6. IC 36-8-16.5-15 IS REPEALED [EFFECTIVE JULY 1, 2005].

(Reference is to SB 67 as introduced.)

and when so amended that said bill be reassigned to the Senate Committee on Appropriations.

GARTON, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The committee appointed to act with a like committee of the House of Representatives to wait upon the Chief Justice and to escort him to the Chambers of the House of Representatives to deliver his message to the General Assembly begs leave to report that it has performed the duties assigned to it.

ZAKAS, Chair

KENLEY

SKINNER

HUME

Committee of the Senate

Report adopted.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 2

Senator Ford called up Engrossed Senate Bill 2 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 11: yeas 42, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act?

There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Duncan, Thomas, and Summers.

Engrossed Senate Bill 8

Senator Ford called up Engrossed Senate Bill 8 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 12: yeas 41, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Duncan, Thomas, and Summers.

Engrossed Senate Bill 44

Senator Gard called up Engrossed Senate Bill 44 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 13: yeas 41, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Wolkins and Heim.

Engrossed Senate Bill 49

Senator Ford called up Engrossed Senate Bill 49 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 14: yeas 42, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Koch.

Engrossed Senate Bill 53

Senator Ford called up Engrossed Senate Bill 53 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 15: yeas 41, nays 1. The bill was declared passed. The

question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Murphy.

Engrossed Senate Bill 112

Senator Meeks called up Engrossed Senate Bill 112 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education finance.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 16: yeas 42, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Espich.

Engrossed Senate Bill 224

Senator Miller called up Engrossed Senate Bill 224 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning health.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 17: yeas 42, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Becker and C. Brown.

Engrossed Senate Bill 225

Senator Miller called up Engrossed Senate Bill 225 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 18: yeas 42, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Becker and C. Brown.

Engrossed Senate Bill 229

Senator Lubbers called up Engrossed Senate Bill 229 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 19: yeas 42, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Porter and Behning.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1021

Senator Bray called up Engrossed House Bill 1021 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation and consumer credit.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 20: yeas 42, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

SENATE MOTION

Madam President: I move that Senator Clark be added as second author of Senate Bill 363.

BRODEN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Breaux be added as coauthor of Engrossed Senate Bill 225.

MILLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lutz be added as coauthor of Senate Bill 183.

PAUL

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Heinold be added as coauthor of Engrossed Senate Bill 8.

FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Heinold be added as coauthor of Engrossed Senate Bill 2.

FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Antich-Carr be added as coauthor of Senate Bill 512.

DROZDA

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Clark be added as second author and Senator Drozda be added as coauthor of Senate Bill 268.

MILLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lanane be added as coauthor of Senate Bill 212.

BRAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator R. Young be added as second author and Senators Howard and Zakas be added as coauthors of Senate Bill 159.

LANANE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Long be added as second author of Senate Bill 515.

BRODEN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Drozda be added as coauthor of Senate Bill 350.

SKINNER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Breaux and Server be added as coauthors of Senate Bill 38.

ANTICH-CARR

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Garton be removed as author of Senate Bill 67 and that Senator Steele be substituted therefor.

GARTON

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Breaux be added as coauthor of Engrossed Senate Bill 2.

FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Antich-Carr be added as coauthor of Senate Bill 92.

FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Zakas be added as coauthor of Engrossed Senate Bill 8.

FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Hershman be added as coauthor of Engrossed Senate Bill 49.

FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Clark be added as second author of Senate Bill 511.

LUBBERS

Motion prevailed.

**REPORT OF THE PRESIDENT
PRO TEMPORE**

Madam President: Pursuant to Senate Rule 65(b), I hereby report that Senate Concurrent Resolution 10, currently assigned to the Committee on Homeland Security, Utilities, and Public Policy, be reassigned to the Committee on Corrections, Criminal, and Civil Matters.

GARTON

SENATE MOTION

Madam President: I move that Senator Antich-Carr be added as cosponsor of Engrossed House Bill 1021.

BRAY

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Monday, January 24, 2005.

GARTON

Motion prevailed.

The Senate adjourned at 2:45 p.m.

MARY C. MENDEL
Secretary of the Senate

REBECCA S. SKILLMAN
President of the Senate